

DFC CO 18



DEPARTMENT OF THE NAVY

(b)(6), (b)(7)(c)

IN REPLY REFER TO

1611

Ser N013/0214J

20 Oct 17

From: (b)(6), (b)(7)(c)

To: Commander, Navy Personnel Command (PERS-834)

Via: (1) Commander (b)(6), (b)(7)(c) USN

(2) (b)(6), (b)(7)(c)

Subj: NONJUDICIAL PUNISHMENT REPORT IN THE CASE OF COMMANDER

(b)(6), (b)(7)(c) U.S. NAVY, (b)(6), (b)(7)(c)

Ref: (a) MILPERSMAN 1611-010

(b) Article 15, UCMJ

(c) Part V, MCM, 2016

(d) Chapter 1, Part B, JAG Manual

- Encl: (1) Punitive Letter of Reprimand and Acknowledgement of Receipt dtd (b)(6), (b)(7)(c) 17
(2) NAVPERS 1626/7 w/ documentation considered at NJP (minus privileged evidence SVM had the opportunity to review with counsel prior to NJP)
(3) Acknowledgment of Mast Appeal Rights dtd (b)(6), (b)(7)(c) 17 (including Statement of Intent IRT NJP Appeal and Punitive Letter of Reprimand dtd (b)(6), (b)(7)(c) 17)

1. Per reference (a), this Report of Misconduct is forwarded for review and action.

2. On 16 October 2017, in accordance with references (b) through (d), nonjudicial punishment (NJP) was imposed on CDR (b)(6), (b)(7)(c) for violating Article 92, UCMJ, dereliction of duty, and Article 110, hazarding a vessel, for his responsibility in the collision (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c). As the Commanding Officer of the (b)(6), (b)(7)(c) at the time of the collision, CDR (b)(6), (b)(7)(c) bears overall responsibility for the safety of the crew and the vessel itself. (b)(6), (b)(7)(c) (b)(6), (b)(7)(c)

3. At the nonjudicial punishment proceeding, CDR (b)(6), (b)(7)(c) pled guilty to the charge of violating Article 92, Dereliction of Duty, and the 3 specifications thereunder. He pled not guilty to the charge of violating Article 110 and the sole specification thereunder of negligently hazarding a vessel. I found CDR (b)(6), (b)(7)(c) guilty of 3 specifications of violating Article 92, as well as the charge and specification of violating Article 110, and awarded him a punitive letter of reprimand and forfeiture of ½ of one month's pay for a period of one month.

4. A copy of the punitive letter is attached as enclosure (1). Details of the hearing and the circumstances of the offenses are set forth in enclosure (2). Per enclosure (3) CDR (b)(6), (b)(7)(c) does not intend to appeal his NJP or punitive letter of reprimand. Accordingly, this NJP is now final and will be reflected in the fitness report that includes the date it was imposed, (b)(6), (b)(7)(c) 2017.

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(b)(6), (b)(7)(c) U.S. NAVY, (b)(6), (b)(7)(c)

5. After fully reviewing the facts and opinions of this case, the following administrative actions are requested or recommended.

a. I request CDR (b)(6), (b)(7)(c) be detached for cause (DFC) from (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) by reason of unsatisfactory performance of duty involving a significant event and due to my loss of confidence in his ability to command. CDR (b)(6), (b)(7)(c) was relieved of command on (b)(6), (b)(7)(c) 2017.

b. Despite the mistakes he made on and leading up to (b)(6), (b)(7)(c) 2017, I believe that CDR (b)(6), (b)(7)(c) has potential for future Naval service not involving command. I do not recommend CDR (b)(6), (b)(7)(c) be made to show cause for retention, and he is not currently on any promotion list.

6. By copy hereof, CDR (b)(6), (b)(7)(c) is notified of his right per reference (a), to submit his comments within 15 days of receipt, concerning this report of NJP, the letter of reprimand and the detachment for cause request, which will all be included as adverse matter in his official record.

(b)(6), (b)(7)(c)

Copy to:

(b)(6), (b)(7)(c)

1611
20 Oct 17

From: CDR (b)(6), (b)(7)(c) USN
To: (b)(6), (b)(7)(c)

1. I have received the letter requesting my detachment for cause and I understand the request may be filed in my permanent record.
2. I am aware of the contents of MILPERSMAN 1070-020 and I (do) do not) desire to make a written statement.
3. I further understand that I have 15 calendar days from this date to submit my statement. If I made such election and then fail to submit a statement in that period of time, it will be treated as a waiver of that right. I understand that any statement I make must be couched in temperate language, be confined to the pertinent facts, and not impugn the motives of others and make countercharges.

(b)(6), (b)(7)(c)

FIRST ENDORSEMENT on (b)(6), (b)(7)(c) ltr 1611 Ser N0313/0214J

From: CDR (b)(6), (b)(7)(c) USN (b)(6), (b)(7)(c)
To: Commander, Navy Personnel Command (PERS-834)
Via: (b)(6), (b)(7)(c)

Subj: ENDORSEMENT OF NONJUDICIAL PUNISHMENT REPORT IN THE CASE OF
COMMANDER (b)(6), (b)(7)(c) U.S. NAVY (b)(6), (b)(7)(c)

1. I have read and fully understand (b)(6), (b)(7)(c) administrative actions, requests, and recommendations included in this nonjudicial punishment (NJP) report. I am thankful for his recommendation that I not be required to show cause and further, identifying my potential for continued naval service. It was my decision not to appeal either the NJP or punitive letter of reprimand as I consider the process to have been fair. As the Commanding Officer, I was held accountable for the (b)(6), (b)(7)(c) events surrounding (b)(6), (b)(7)(c) collision.
2. My desire to serve the Navy has not diminished following my relief of command and NJP. It is my aspiration to continue my career in the Navy. I believe my deep and diverse experience of over (b)(6), (b)(7)(c) of service including (b)(6), (b)(7)(c) different homeports, (b)(6), (b)(7)(c) ship assignments, instructor duty, and (b)(6), (b)(7)(c) staff assignments are of great value to the organization. My experience, particularly while in Command (b)(6), (b)(7)(c) uniquely positions me to impart knowledge back as the Navy returns to center and remains the premier navy in the world.
3. I request the opportunity to be retained in the Naval service. I believe that that the Navy can leverage my experiences both prior to and post collision to the benefit of the service. Thank you in advance for affording me the opportunity and privilege to serve our Sailors and our Nation.

(b)(6), (b)(7)(c)

Encl (4)